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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Verivada Chandrasekaran et al. Art Unit : 3738
Serial No. : 10/629,934 Examiner : Suzette Jamie Jackson
Filed : July 29, 2003
Title : MEDICAL DEVICE WITH RADIOPACITY

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO ACTION OF AUGUST 30, 2005

In reply to the Office Action of August 30, 2005, Applicant submits the following remarks.

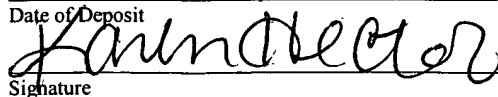
The Examiner has indicated that Applicants' reply, filed on June 23, 2005, was not fully responsive because Applicants failed to point out where support for "a third layer comprising an oxidized form of the alloy" can be found in the specification. This feature can be found in various portions of Applicants' application. Applicants' specification notes, for example, "After layer 20 or 26 is formed, stent 10 can be passivated by exposing the stent to an appropriate environment. For example, stent 10 can be oxidized by heating the stent in an oxidizing atmosphere, such as one containing oxygen and/or water, to form an oxide layer on layer 20 or 26." P. 8, ¶ [0049]. Various portions of the specification describe layer 20 as including an alloy of the radiopaque material(s) in the radiopaque layer 18 and one or more alloying materials. *See, e.g.,* p. 6, ¶ [0042]. The specification also explains that the oxide can be formed from the outer layer of the stent. *See, e.g.,* p. 4, ¶¶ [0021] and [0022]. Applicants have merely provided

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September 19, 2005

Date of Deposit

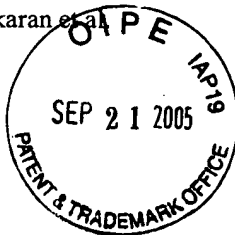


Signature

Karen Hector

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examples of passages that support the amended claims. Other support may be found in other portions of the application.

The cited references, taken alone and in combination, fail to disclose or suggest a third layer comprising an oxidized form of the alloy, as recited in Applicants' amended claims and newly added claims.

In light of the discussion above, Applicants request that the amended claims and the newly added claims be considered and allowed.

No fees are believed due at this time. Please apply charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: September 19, 2005

Michael R. Hamlin
Reg. No. 54,149

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906